

REMARKS/ARGUMENTS

Claims 1-5, 7-9, and 15-18 are pending in this application. Claims 1-5, 7-9, and claim 15 stand rejected, and claim 16 is allowed. Claims 10-14 are withdrawn from consideration. By this amendment, claim 1 has been amended and new claims 17 and 18 are added. No new matter has been added. In light of the amendments and remarks set forth below, Applicants respectfully submit that each of the pending claims is in condition for immediate allowance.

Applicants thank the Examiner for the courtesy extended to Applicants' representative during the telephonic interview of April 23, 2009. During the interview claim 1 was discussed. The Examiner agreed that the proposed amendment to claim 1 distinguished claim 1 from the cited prior art. The Examiner requested that claim 1 be further amended to clarify the structure of the metal body as presented above. The Examiner's proposed amendments to claim 1, incorporated above, do not alter the scope of claim 1, nor are those amendments required to define over the prior art. Rather, the Examiner's proposed amendments to claim 1 have been made for cosmetic reasons to improve the form thereof.

Claims 1-3, 7-9, and 15 stand rejected under 35 USC § 103 (a) as being unpatentable over U.S. Patent No. 4,673,814 ("Schroeder"). Applicants respectfully traverse this rejection.

Among the limitations of independent claim 1 not present in Schroeder is

a metal body having a central axis with a shape that is one of cylindrical and prismatic, said body having an open top axial end, a closed bottom end, and at least one axial wall between the open end and the closed bottom end and being parallel to said central axis the at least one axial wall having an end face parallel to and opposite the closed bottom end; ... docking said body and said cover so that said end face of the axial wall of said body in the vicinity of said open end top thereof and said end wall of said cover face each other and are maintained in contact; and producing a continuous penetrative weld over the entire periphery of said cover and said body at the end of their respect walls which are maintained in contact.

As explicitly recited above, claim 1 requires that the cover and the axial wall of the body meet at an end face of the axial wall. In other words, the ends of the metal body and metal cover do not overlap but meet in a butt joint. The butt joint is clearly shown in the present specification at least in figures 2a-2c. As shown, the cover 2 and body 1 meet at edge faces of both the axial wall and the end wall.

In contrast, Schroeder does not disclose a metal cover being docked to the body so that the cover faces an end face of the axial wall of the body. As shown, for example in Figure 2, an edge surface of the cover mates with an inner surface of the wall. Thus, Schroeder fails to disclose the docking as explicitly recited in the claim.

It should be noted that the rim 8 is the end face of the axial wall explicitly recited in claim 1. Applicants note that Schroeder explicitly states that the "ceiling cover 4 is so positioned in the vessel 1 that its upper edge 23 lies beneath the rim 8 of the vessel and is tightly welded the vessel wall by a fillet weld 9 at the open end of the vessel 1." (Schroeder, Col. 4, 11. 17-22). Thus, in contrast to the express teachings in the present application and claims that the rim is the mating surface, Schroeder explicitly teaches that the cover is seated on conical seating surface 3 below the rim of the vessel.

Further, as discussed above, claim 1 recites producing a continuous penetrative weld. In contrast, Schroeder discloses a bevel weld filling a first groove and a second annular fillet weld 9 connecting the cover surface 23 to the inner wall of the interface of wall 22.

Claim 1 explicitly recites penetrative welding so that the two surfaces forming the butt joint are welded together. In contrast, Schroeder discloses a fillet weld below the rim of the axial wall. Thus, for this additional reason claim 1 is allowable over Shroder.

Claims 2-5, 7-9, 15, 17, and 18 depend from and include all the limitations of claim 1. These dependent claims also recite additional limitations which, in combinations with the limitations of claim 1, are neither disclosed nor suggested by Schroeder and are also directed toward patentable subject matter. Thus, claims 2-5, 7-9, 15, 17, and 18 should be allowed.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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